

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

# PCT

To:  
 KING & SPALDING LLP  
 Attn. Sullivan, Clark G.  
 191 Peachtree Street, 45th Floor  
 Atlanta GA 30303-1763  
 UNITED STATES OF AMERICA

## NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing (day/month/year)	09/12/2004
Applicant's or agent's file reference 09328.105083	<b>FOR FURTHER ACTION</b> See paragraphs 1 and 4 below
International application No. PCT/US2004/026472	International filing date (day/month/year) 16/08/2004
Applicant  KEMIRA CHEMICALS, INC.	

1.  The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

**When?** The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
1211 Geneva 20, Switzerland, Fascimile No.: (41-22) 740.14.35

**For more detailed instructions**, see the notes on the accompanying sheet.

2.  The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3.  **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

- the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until **30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the International Searching Authority

European Patent Office, P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Laura Fernández Gómez

## NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

#### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

**The amendments must be made in the language in which the international application is to be published.**

#### What documents must/may accompany the amendments?

**Letter (Section 205(b)):**

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

**The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.**

## NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

**The following examples illustrate the manner in which amendments must be explained in the accompanying letter:**

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:  
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:  
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:  
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or  
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:  
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

### **"Statement under article 19(1)" (Rule 46.4)**

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

**It must be in the language in which the international application is to be published.**

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

### **Consequence if a demand for international preliminary examination has already been filed**

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

### **Consequence with regard to translation of the international application for entry into the national phase**

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference  09328.105083	<b>FOR FURTHER ACTION</b>		see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No.  PCT/US2004/026472	International filing date (day/month/year)  16/08/2004	(Earliest) Priority Date (day/month/year)  18/08/2003	
Applicant  KEMIRA CHEMICALS, INC.			

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b.  With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2.  **Certain claims were found unsearchable** (See Box II).

3.  **Unity of invention is lacking** (see Box III).

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regards to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 4

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b.  none of the figures is to be published with the abstract.

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US2004/026472A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 D21C9/08 D21H21/02

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 D21C D21H

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	PATENT ABSTRACTS OF JAPAN vol. 2000, no. 25, 12 April 2001 (2001-04-12) & JP 2001 207392 A (DAI ICHI KOGYO SEIYAKU CO LTD; NIPPON FELT CO LTD), 3 August 2001 (2001-08-03) abstract ----- US 6 517 682 B2 (COWART JEFFREY R ET AL) 11 February 2003 (2003-02-11) cited in the application abstract claim 1 ----- ----- -/-	1,21-24
X		1,21,23, 24

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

## \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
1 December 2004	09/12/2004
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer  Naeslund, P

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US2004/026472

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 520 781 A (CURHAM KEVIN D ET AL) 28 May 1996 (1996-05-28) cited in the application abstract examples -----	1,21,23, 24
X	US 4 184 912 A (PAYTON JAMES H) 22 January 1980 (1980-01-22) cited in the application abstract claims 1-3 -----	1,21,23, 24
A	US 4 995 944 A (ASTON DAVID A ET AL) 26 February 1991 (1991-02-26) cited in the application the whole document -----	1-24
A	US 4 895 622 A (BARNETT DANIEL J ET AL) 23 January 1990 (1990-01-23) cited in the application the whole document -----	1-24
A	WO 01/85846 A (ONDEO NALCO CO) 15 November 2001 (2001-11-15) the whole document -----	1-24
A	WO 98/55692 A (BETZDEARBORN INC) 10 December 1998 (1998-12-10) the whole document -----	1-24

## INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No  
PCT/US2004/026472

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
JP 2001207392	A	03-08-2001	JP	3306590 B2	24-07-2002
US 6517682	B2	29-03-2001	US	6171445 B1	09-01-2001
			US	2001000064 A1	29-03-2001
			AU	768787 B2	08-01-2004
			AU	5769100 A	19-02-2001
			BR	0013296 A	02-04-2002
			CA	2378597 A1	08-02-2001
			CN	1367852 T	04-09-2002
			EP	1214472 A1	19-06-2002
			MX	PA02001055 A	20-08-2002
			WO	0109434 A1	08-02-2001
US 5520781	A	28-05-1996	AT	180525 T	15-06-1999
			CA	2131143 A1	08-04-1995
			DE	69418669 D1	01-07-1999
			DE	69418669 T2	21-10-1999
			EP	0647737 A1	12-04-1995
			ES	2131641 T3	01-08-1999
			FI	944718 A	08-04-1995
			NO	943637 A	10-04-1995
US 4184912	A	22-01-1980	CA	1091870 A1	23-12-1980
US 4995944	A	26-02-1991	AR	247436 A1	29-12-1994
			AT	107379 T	15-07-1994
			BR	8904651 A	08-05-1990
			CA	1319778 C	29-06-1993
			DE	68916140 D1	21-07-1994
			DE	68916140 T2	22-09-1994
			DK	171279 B1	19-08-1996
			EP	0359590 A2	21-03-1990
			ES	2055085 T3	16-08-1994
			FI	894365 A ,B ,	17-03-1990
			HK	38995 A	24-03-1995
			JP	2182995 A	17-07-1990
			JP	2618496 B2	11-06-1997
			MX	169862 B	28-07-1993
			NO	893704 A	19-03-1990
			SG	14995 G	16-06-1995
			ZA	8906670 A	25-07-1990
US 4895622	A	23-01-1990	AU	622694 B2	16-04-1992
			AU	3931089 A	17-05-1990
			CA	1324037 C	09-11-1993
			NZ	229886 A	26-10-1990
WO 0185846	A	15-11-2001	US	6524435 B1	25-02-2003
			AU	5123401 A	20-11-2001
			CA	2404391 A1	05-11-2001
			CN	1427870 T	02-07-2003
			EP	1280859 A1	05-02-2003
			JP	2003532805 T	05-11-2003
			WO	0185846 A1	15-11-2001
WO 9855692	A	10-12-1998	US	5936024 A	10-08-1999
			AU	6563798 A	21-12-1998
			CA	2293312 A1	10-12-1998

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No  
PCT/US2004/026472

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
WO 9855692	A	EP	0986670 A1	22-03-2000
		JP	2002513450 T	08-05-2002
		NO	995958 A	04-02-2000
		WO	9855692 A1	10-12-1998
		US	6150452 A	21-11-2000
		ZA	9801600 A	31-08-1998

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Applicant's or agent's file reference  
see form PCT/ISA/220

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

International application No.  
PCT/US2004/026472

International filing date (day/month/year)  
16.08.2004

Priority date (day/month/year)  
18.08.2003

International Patent Classification (IPC) or both national classification and IPC  
D21C9/08, D21H21/02

Applicant  
KEMIRA CHEMICALS, INC.

### FOR FURTHER ACTION See paragraph 2 below

#### 1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

#### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

#### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office  
D-80298 Munich  
Tel. +49 89 2399 - 0 Tx: 523656 epmu d  
Fax: +49 89 2399 - 4465

Authorized Officer

Naeslund, P

Telephone No. +49 89 2399-8614



**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - a sequence listing
    - table(s) related to the sequence listing
  - b. format of material:
    - in written format
    - in computer readable form
  - c. time of filing/furnishing:
    - contained in the international application as filed.
    - filed together with the international application in computer readable form.
    - furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**Box No. II Priority**

1.  The following document has not been furnished:

- copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
- translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2.  This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	2-20
	No: Claims	1,21-24
Inventive step (IS)	Yes: Claims	NONE
	No: Claims	1-24
Industrial applicability (IA)	Yes: Claims	1-24
	No: Claims	NONE

2. Citations and explanations

**see separate sheet**

**Box No. VII Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

**see separate sheet**

**Box No. VIII Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

**Re Item V**

*Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement*

Reference is made to the following documents:

D1: PATENT ABSTRACTS OF JAPAN vol. 2000, no. 25, 12 April 2001 (2001-04-12) & JP 2001 207392 A (DAI ICHI KOGYO SEIYAKU CO LTD; NIPPON FELT CO LTD), 3 August 2001 (2001-08-03)

D2: US-B-6 517 6822 (COWART JEFFREY R ET AL) 11 February 2003 (2003-02-11) cited in the application

D3: US-A-5 520 781 (CURHAM KEVIN D ET AL) 28 May 1996 (1996-05-28)cited in the application

D4: US-A-4 184 912 (PAYTON JAMES H) 22 January 1980 (1980-01-22)cited in the application

1. Document **D1** discloses a method of making paper where non-ionic surfactant of a high HLB is added such that deposition of contaminant on paper making parts is controlled.

Therefore claim 1 is not novel; Art. 33(2) PCT.

[In view of the pertinence of **D1** it would appear justified that applicant furnishes a full-text translation of the original document, in case the application is pursued].

2. A similar reasoning applies to independent claims 21,22,23 and 24; Art. 33(2) PCT. Note that **D1** discloses an HLB in the range 9.0-18.0 which clearly overlaps with HLB values according to the present invention.

3. In view of **D2-D4** (see in particular parts indicated in the ISR) at least claims 1, 21, 23 and 24 would not appear novel either. The nonionic surfactants used implicitly fulfil the requirement of being "high HLB" -surfactants.

4. As to the remaining dependent claims, when not explicitly or implicitly disclosed in any of the documents cited then their additional features only pertain to common knowledge in the field and/or result from a routine optimization; Art. 33(3) PCT.

5. For the assessment of the present claims on the question whether they are industrially applicable, no particular reasoning would appear necessary to give. The industrial application would appear to be evident (Art. 33(4) PCT).

**Re Item VII**

*Certain defects in the international application*

1. All cited prior art should be acknowledged in the description; Rule 5.1(a) PCT.
2. The description should be adapted to any subsequently filed amended claims at the entry of the national/regional phase.

**Re Item VIII**

*Certain observations on the international application*

1. The clarity of the claims is of the utmost importance in view of their function in defining the matter for which protection is sought. Therefore the meaning of the terms of a claim should be clear for the person skilled in the art from the wording of the claim alone.
  - 1.1 In the present case the wording in i.a. claim 1 "...is added in an amount that is sufficient to control deposition of said contaminant onto paper making parts.." is not giving any concrete teaching to the skilled person on how to proceed; Art. 6 PCT.
  - 1.2 It is not clear what is to be understood by "high HLB surfactant" in i.a. claim 1; Art. 6 PCT.
  - 1.3 It is not clear what is to be understood by "that consists essentially of" in i.a. claim 1 and 21; Art. 6 PCT.
  - 1.4 The multitude of independent claims in the method category introduces ambiguity as to the **essential** features of the invention (Art. 6 PCT) and might lead, if maintained in case the application is pursued, to an objection for lack of a single

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

**PCT/US2004/026472**

general inventive concept over closest prior art as required by Rule 13.1 PCT.